

Court of Appeals, State of Michigan

ORDER

Greenpoint Credit LLC v Antonio Harden

Docket No. 258267

LC No. 03-077259-CH

Stephen L. Borrello
Presiding Judge

Richard Allen Griffin

Donald S. Owens
Judges

The Court orders that in lieu of granting the application for leave to appeal and pursuant to MCR 7.205(D)(2), the Genesee Circuit Court's September 14, 2004, order granting defendant Bank One N.A.'s motion to set aside default judgment is PEREMPTORILY REVERSED, and this matter is REMANDED to the trial court for reinstatement of default judgment. The trial court committed legal error in granting the motion to set aside default judgment where good cause was not shown. MCR 2.603(D)(1); *Alken-Ziegler, Inc v Waterbury Headers Corp*, 461 Mich 219; 600 NW2d 638 (1999); *Zaiter v Riverfront Complex, Ltd*, 463 Mich 544; 620 NW2d 646 (2001); *Barclay v Crown Building and Development, Inc*, 241 Mich App 639, 653; 617 NW2d 373 (2000).

We retain no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 23 2005

Date

Sandra Schultz Mengel
Chief Clerk